

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CDX GAS, LLC,
a Texas limited liability company,

Plaintiff,

v.

Civil Action No. 1:07CV127
(STAMP)

CFS FARMS, LLC,
a West Virginia limited liability company
and CLARENCE S. FIBER, as Manager of
CFS FARMS, LLC in his individual capacity,

Defendants.

**ORDER GRANTING MOTION TO CANCEL HEARING
AND VACATING HEARING**

On September 27, 2007, the plaintiff filed a motion to cancel the hearing relating to the "Complaint for Temporary Restraining Order and for Preliminary and Permanent Injunction" filed in the above-captioned civil action indicating that the matter in controversy and issues raised in the complaint had been resolved. For good cause shown, the motion to cancel the hearing is hereby GRANTED and the hearing is VACATED.¹

Plaintiff's counsel is DIRECTED to advise counsel for the defendants or the defendants that the hearing has been VACATED.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

¹Counsel for the plaintiff shall promptly advise the Court in writing whether all of the matters asserted in the complaint have been resolved and whether this civil action may be dismissed and, if so, whether the dismissal shall be with or without prejudice.

DATED: September 27, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE